

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 97

Filed by: Trial Section Merits Panel
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ALEXANDER KAMB,

Junior Party,
(Application 08/481,063),

v.

DENNIS A. CARSON and TSUTOMU NOBORI,

Senior Party
(Application 08/227,800).

Patent Interference No. 104,009

Before: McKELVEY, Senior Administrative Patent Judge, and
TORCZON and GARDNER-LANE, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of the REQUEST FOR ENTRY OF ADVERSE JUDGMENT AS PART OF SETTLEMENT OF INTERFERENCE (Paper 96), it is ORDERED that judgment on priority as to Count 2 (Paper 93, page 22), the sole count in the interference, is awarded against junior party ALEXANDER KAMB.

FURTHER ORDERED that junior party ALEXANDER KAMB is not entitled to a patent containing claims 1, 5, 8, 11-15 and 23-

30 (corresponding to Count 2) of application 08/481,063, filed 7 June 1995.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/481,063 and application 08/227,800.

FURTHER ORDERED that if there is any additional settlement agreement (see Papers 90 and 91), attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

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| FRED E. McKELVEY, Senior |) | |
| Administrative Patent Judge |) | |
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| RICHARD TORCZON |) | BOARD OF PATENT |
| Administrative Patent Judge |) | APPEALS AND |
| |) | INTERFERENCES |
| <hr/> |) | |
| SALLY GARDNER-LANE |) | |
| Administrative Patent Judge |) | |

104,009

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